

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Koji MASAKI

Appln. No.: 10/598,842

Confirmation No.: 1122

Docket No: Q96962

Group Art Unit: 1764

Examiner: Irina KRYLOVA

Filed: September 13, 2006

For: RUBBER COMPOSITION AND PNEUMATIC TIRE USING THE SAME

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed document is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Appln No.: 10/598,842

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Notification of Third Office Action, issued December 16, 2011, received in counterpart Chinese Patent Application No. 200580008366.2, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

No new references have been cited in the Chinese Office Action.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 10, 2012

**INFORMATION DISCLOSURE  
CERTIFICATION STATEMENT**

Application Number	10/598,842
Filing Date	September 13, 2006
First Named Inventor	Koji MASAKI
Group Art Unit	1764
Examiner Name	Irina KRYLOVA
Attorney Docket Number	Q96962

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**


- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ That each item of information contained in the Information Disclosure Statement filed concurrently herewith: (i) was first cited in any communication from a patent office in a counterpart foreign or international application or from the Office, and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement; or (ii) is a communication that was issued by a patent office in a counterpart foreign or international application or by the Office, and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement. See 37 CFR 1.704(d).
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.
- ☐ None

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**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature		Date	February 10, 2012
Name/Print	Thomas M. Hunter	Registration Number	64,676

Under the Paperwork reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/598,842
				Filing Date	09-13-06
				First Named Inventor	Koji MASAKI
				Art Unit	1764
				Examiner Name	Irina KRYLOVA
Sheet	1	of	1	Attorney Docket Number	Q96962

NON PATENT LITERATURE DOCUMENTS			
Examiner initial *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	Notification of Third Office Action, issued December 16, 2011, received in counterpart Chinese Patent Application No. 200580008366.2, with English translation	<input type="checkbox"/>
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Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1. Applicants unique citation designation number, (optional) 2. Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.